



State of New Jersey

OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LAW AND PUBLIC SAFETY

DIVISION OF ELECTIONS

P.O. Box 304

TRENTON, NJ 08625-0304

TELEPHONE (609) 292-3760

FAX (609) 777-1280

JAMES E. MCGREEVEY
Governor

PETER C. HARVEY
Attorney General

RAMÓN DE LA CRUZ
Director

January 20, 2004

Dear Election Official:

N.J.S.A. 19:8-3.4 requires each county board of elections to provide to the Attorney General of New Jersey, no later than May 15, 2004, a list of all polling places in the county, specifying any found to be inaccessible. The enclosed Polling Place Accessibility Report Form is to be used for reporting the total number of polling places that are accessible and/or inaccessible and the Polling Place Accessibility Checklist is to be used when surveying each polling place.

No later than July 1st of this year, the Attorney General shall review the reports of the county boards of elections and shall ensure that every possible effort has been made to comply with the provisions of this act. N.J.S.A. 19:8:3.5.

Keep in mind that in accordance with N.J.A.C. 13:17-6.8, "polling place accessibility standards shall be based upon and be in compliance with the State's Uniform Construction Code Barrier Free Sub-code, N.J.A.C. 5:23-7 et seq."

The Attorney General may grant a waiver in certain cases where a polling place is determined to be inaccessible and cannot be made temporarily accessible for election day and there are no other accessible locations available. It is the responsibility of the county board of elections to exhaust all reasonable efforts to locate alternate accessible sites or to make the inaccessible site temporarily accessible prior to requesting a waiver. Any waiver application must detail all efforts undertaken in this regard.

The enclosed Polling Place Accessibility Waiver Form shall be completed and attached to the Accessibility Checklist for each location for which a waiver is

requested. However, the submission of a waiver request does not guarantee that such a request will be approved. All forms are to be returned on or before May 15, 2004.

In addition, the Division of Elections is planning the Second Annual Polling Place Accessibility Workshop on Friday, February 20, 2004. The primary purpose of this workshop will be to discuss HAVA requirements and funding as it relates to accessibility and to focus on the polling place accessibility reports and to provide guidance for proper completion of the 2004 polling place accessibility checklist.

The meeting will be held at the Richard J. Hughes Justice Complex, 4th Floor Conference Center at 10:00 a.m. Lunch will be provided. Directions to the Justice Complex are enclosed. Also, please find a registration form, which you should use to fax to (609) 777-1280. Please respond by Thursday, February 12th.

We strongly suggest that all personnel who will be involved in the process of completing the 2004 polling place accessibility checklist and pertinent documents attend this workshop.

If you have additional questions please feel free to call me or William Senande, Esq. who is assisting with the project.

Sincerely,

A handwritten signature in black ink that reads "Ramón de la Cruz". The signature is written in a cursive style with a large, stylized 'R' and a long, sweeping underline.

Ramón de la Cruz,
Director, Division of Elections

cc: Gloria Jean Berry, Supervisor
Election Administration
Donna Kelly, SDAG
William Senande, Esq.
Superintendents of Elections
Administrators, County Board of Elections
Commissioners, County Board of Elections